

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**TERRY HARRIS and )  
DOROTHY WATFORD, the class of )  
independent representatives in )  
WEALTH BUILDERS INTERNATIONAL, )  
)  
Plaintiffs, ) Civil Action No.: 2:05-cv-1083-WKW  
)  
vs. )  
)  
**JOSEPH BORG,** )  
)  
**Defendant.** )**

**REPORT OF PARTIES DISCOVERY PLANNING MEETING**

1. Pursuant to Fed. R. Civ. P., 26(f), the parties conducted a discovery planning meeting on May 3, 2006, and the following discovery plan is hereby submitted:
2. Pre-Discovery Disclosures. The parties will exchange by May 8, 2006, the information required by Fed. R. Civ. P. 26(a)(1).
3. Discovery Plan. The parties propose to the Court the following discovery plan.
  - A. Discovery will be needed on the events surrounding the cease and desist order issued by defendant, Joseph Borg, on or about June 10, 2003, to Plaintiffs and other members of Wealth Builders International Investment Club. In addition, discovery will be needed on Plaintiffs' damages and defendant's defenses.
  - B. All discovery shall be commenced in time to be completed by November 1, 2006;
  - C. A maximum of 25 interrogatories by each party to the other party;
  - D. A maximum of 25 requests for admissions by each party to the other party;
  - E. A maximum of 25 requests for production by each party to any other party;

- F. A maximum of 10 depositions by Plaintiffs and 10 depositions by Defendant;
  - G. Reports from retained experts under Rule 26(a)(2) shall be due:
    - From Plaintiffs by June 30, 2006;
    - From defendant by July 30, 2006;
  - H. Supplementation under Rule 26(e) due 30 days after receipt of information.
  - I. Class Discovery: Discovery on class certification issues shall be completed by August 1, 2006.
4. Other items:
- A. The parties do not request a telephone conference with the Court before entry of the scheduling order.
  - B. The parties request a pretrial conference in December 2006.
  - C. Plaintiffs should be allowed until May 30, 2006, to join additional parties and until May 30, 2006, to amend the pleadings.
  - D. Defendant should be allowed until June 20, 2006, to join additional parties and until June 20, 2006, to amend the pleadings.
  - E. All potentially dispositive motions should be filed by September 1, 2006.
- Settlement cannot be evaluated prior to September, 2006, but may be enhanced by the use of mediation.
- F. Final lists of witnesses and exhibits under Rule 26(a) should be due:
    - From plaintiffs by January 4, 2007.
    - From defendant by January 4, 2007.
  - G. Parties shall have 7 days after service of final lists of witnesses and exhibits to list objections.

H. The case should be ready for trial by February 2007, and at this time is expected to take approximately 3 days.

/s/Henry L. Penick  
Attorney for Plaintiffs

/s/Bruce Downey, III  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of May, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Bruce J. Downey: bjd@chlaw.com

/s/ Henry L. Penick